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PATENT
Attorney Docket 044921-5038-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Donna L. MENDRICK et al.**)
Application No. **10/060,087**) Group Art Unit: **1631**
Filed: **January 31, 2002**) Examiner: **Cheyne D. Ly**
For: **Molecular Toxicology Modeling**)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **MAIL STOP AF**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Office Action dated August 17, 2004 in connection with the above-identified application.

2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

3. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

4. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	37	minus	39	0	x \$18 each=	+ \$0
Independent Claims (37 C.F.R. §1.16(b))	2	minus	7	0	x \$88 each=	+ \$0
[] First presentation of Multiple dependent claim(s)					\$300.00	+ \$0
SUB-TOTAL =						\$0
Reduction by 2 for filing by a small entity						- \$0
TOTAL FEE =						\$0

5. Fee Payment

[] The Commissioner is hereby authorized to charge \$ _____ to Deposit Account 50-0310.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR § 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Robert Smyth for
R. Smyth RN=50801

Dated: November 17, 2004

By:

Michael S. Tuscan
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202-739-3000



PATENT
Attorney Docket **044921-5038-01**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Donna L. Mendrick <i>et al.</i>)	
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AMENDMENT AND REPLY UNDER 37 C.F.R. § 1.116

In response to the Final Office Action dated August 17, 2004, the period for response extends through November 17, 2004, entry of the following amendment is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal.

Please amend the application as follows:

Pending Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.